

AUG - 8 2014 CLR

AO 91 (Rev. 11/11) Criminal Complaint

Laredo Division

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

David RAMOS (DOB: [REDACTED]) and Juan
Alberto ELIZONDO-Amaro ([REDACTED])

Defendant(s)

Case No. 5:14 mj 1053 - 1

2

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/6/2014 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 21 U.S.C. § 841(a)(1)

Offense Description

by knowingly and unlawfully possessing,
with the intent to distribute, a
controlled substance listed under
Schedule II of the Controlled Substances
Act, to wit, approx. 0.435 kilograms
(435.2 g) of methamphetamine.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.

Complainant's signature

C. Brian Mayes, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/8/2014City and state: Laredo, Texas

Judge's signature

Judge J. Scott Hacker

Printed name and title

On 08-06-2014, agents/officers from the U.S. Drug Enforcement Administration (DEA), the Texas Department of Public Safety Criminal Investigations Division, and the Houston Police Dept. (HPD) High Intensity Drug Trafficking Area Targeted Narcotics Enforcement Group, hereinafter referred to as HPD, conducted a methamphetamine (meth) buy/bust operation against David RAMOS (DOB: [REDACTED]) and Juan Alberto ELIZONDO-Amaro (DOB: [REDACTED]) at the Auto Zone located at 3201 San Bernardo Avenue, Laredo, TX. During this operation, RAMOS and ELIZONDO-Amaro were subsequently arrested for possessing approximately 0.435 kilograms (435.2 grams) of meth. The following is brief synopsis of the chain of events that led up to the arrest of RAMOS and ELIZONDO-Amaro:

According to HPD Officer Matt Bradley, prior to the buy/bust operation on 08-06-2014, HPD Officer Mario Valles, acting in an undercover capacity, had already communicated with both RAMOS and ELIZONDO-Amaro separately via cellular phone to discuss making a multi-kilogram purchase of meth from them in Laredo, Texas. Per HPD Officer Bradley, HPD Officer Valles negotiated with RAMOS via RAMOS's cellular device ([REDACTED]) and he communicated with ELIZONDO-Amaro through a cellular device assigned a Mexican number and through RAMOS's cellular device ([REDACTED]).

On 08-06-2014, agents/officers established surveillance in the vicinity of the Taco Palenque located at 4515 San Bernardo Avenue, Laredo, TX because agents/officers knew that HPD Officer Valles was going to communicate with ELIZONDO-Amaro via David's cellular device ([REDACTED]) to ask ELIZONDO-Amaro if he would be willing to meet him at the Taco Palenque so that they could further negotiate the purchase of meth in person. In addition, surveillance was also established in the vicinity of David RAMOS's residence located at [REDACTED] Laredo, TX 78040. According to HPD Officer Bradley, once surveillance was established by the aforementioned agencies, HPD Officer Valles spoke to ELIZONDO-Amaro via David's cellular phone ([REDACTED]) and ELIZONDO-Amaro agreed to meet HPD Officer Valles at the Taco Palenque located at 4515 San Bernardo Avenue, Laredo, TX 78041.

Per HPD Officer Bradley, surveillance units subsequently observed a black Ford Taurus displaying TX Temporary Plate #: [REDACTED] depart the residence of RAMOS on 08-06-2014. Per your affiant, a surveillance unit then observed the aforementioned black Ford Taurus park at the Taco Palenque parking lot where ELIZONDO-Amaro and HPD Officer Bradley agreed to meet. Per your affiant, surveillance units observed that the black Ford Taurus was occupied by two subjects. Per HPD Officer Bradley, surveillance units identified the passenger of the black Ford Taurus as ELIZONDO-Amaro.

Per your affiant, while at the Taco Palenque on 08-06-2014, ELIZONDO-Amaro and HPD Officer Valles then began negotiating the purchase of a one half (1/2) kilogram of meth for a fee of \$6,000.00 U.S.C.

Per HPD Officer Bradley, while ELIZONDO-Amaro and HPD Officer Valles were negotiating the purchase of meth at the Taco Palenque, GPS location data from David's phone ([REDACTED]) indicated that the phone was in the immediate area of the same Taco Palenque. Per HPD Officer Valles, while ELIZONDO-Amaro and him were negotiating at the Taco Palenque, ELIZONDO-Amaro borrowed his cellular phone to call David (RAMOS) at [REDACTED]. Therefore, while RAMOS was talking on his cellular device ([REDACTED]), GPS data placed RAMOS's cellular device near the location of the same Taco Palenque where ELIZONDO-Amaro and HPD Officer Valles were negotiating.

Per your affiant, after ELIZONDO-Amaro and HPD Officer Valles were finished negotiating, surveillance units observed ELIZONDO-Amaro get back into the passenger's side of black Ford Taurus and the vehicle then departed the Taco Palenque parking lot. Per your affiant, surveillance observed the black Ford Taurus then go to two separate locations in Laredo, TX. Per HPD Officer Bradley, at one of the aforementioned locations, surveillance units observed ELIZONDO-Amaro enter a residence and return to the black Ford Taurus with a package in his hand.

Per HPD Officer Bradley, HPD Officer Valles subsequently received a telephone call from ELIZONDO-Amaro on David's phone and ELIZONDO-Amaro told HPD Officer Valles that he had the ½ kilogram of meth in his hand; therefore, he requested HPD Officer Bradley to meet him at the Auto Zone located at 3201 San Bernardo Ave., Laredo, TX. As a result, per HPD Officer Bradley, HPD Officer Valles and HPD Officer John Garza (acting in an undercover capacity as well) travelled to the Auto Zone. Per HPD Officer Bradley, once the black Ford Taurus arrived and parked at the Auto Zone on 08-06-2014, ELIZONDO-Amaro got out of the passenger's side of the black Ford Taurus driven by David RAMOS and then got into the front passenger seat of the vehicle driven by HPD Officer Valles and occupied by HPD Officer John Garza. Per HPD Officer Bradley, ELIZONDO-Amaro pulled out a large bag containing a white crystal like substance (suspected meth) and gave it to HPD Officer Valles. Per your affiant, after ELIZONDO-Amaro handed HPD Officer Valles the suspected meth, ELIZONDO-Amaro was arrested without incident. In addition, David RAMOS was also arrested in the driver's seat of the black Ford Taurus without incident. Per HPD Officer Bradley, he observed a cell phone on the floorboard of the driver's side of the black Ford Taurus. Per your affiant, no other cell phones were recovered.

After RAMOS and ELIZONDO-Amaro were in custody, they were transported to the DEA Laredo District Office (DO) for processing and questioning. The suspected meth that was seized at the Auto Zone was immediately transported to the DEA Laredo DO Warehouse where it field tested positive for meth. In addition, the bundle of meth was then weighed at the DEA Laredo DO Warehouse and it weighed approximately 0.435 kilograms (435.2 grams).

At the DEA Laredo DO, your affiant, as witnessed by DEA Special Agent (SA) Joseph Jones and HSI Task Force Officer (TFO) Rey Infante, read RAMOS his rights in English via the DEA-13A Form. RAMOS then advised your affiant that he refused to speak to investigators. Investigators then terminated the interview. Investigators did have to ask RAMOS and ELIZONDO-Amaro who was the owner of the cellular device (██████████) located at the scene of the arrest so that they could initiate the proper DEA personal property claim proceedings for the cellular device. David RAMOS subsequently stated that the cellular phone with assigned phone number ██████████ belonged to him.

HSI TFO Infante, then read ELIZONDO-Amaro his rights in Spanish via the DEA-13A Form, as witnessed by your affiant and DEA SA Jones. ELIZONDO-Amaro agreed to speak to investigators; therefore, the interview was conducted. During the interview, ELIZONDO-Amaro refused to provide details of the incident on 08-06-2014, but did state that RAMOS and Mario had knowledge of the arrangements made for the crystal meth transaction on 08-06-2014. (AFFIANT'S NOTE: Mario is actually HPD Officer Valles's undercover name.) According to HPD Officer Bradley, all of the conversations between RAMOS, ELIZONDO-Amaro, and HPD Officer Valles are recorded.